



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/286,794      | 04/06/1999  | MARK E. BAER         | 28076/SV703A        | 5439             |

7590 09/09/2004

MARSHALL O'TOOLE GERSTEIN MURRAY & BORUN  
6300 SEARS TOWER  
233 SOUTH WACKER DR  
CHICAGO, IL 606066402

EXAMINER

BLOUNT, STEVEN

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2661

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

09/286,794

|               |             |                       |                               |
|---------------|-------------|-----------------------|-------------------------------|
| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. <u>AK</u> |
|---------------|-------------|-----------------------|-------------------------------|

|          |
|----------|
| EXAMINER |
|----------|

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

DATE MAILED:

30

### EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) Mr. Blount (3) \_\_\_\_\_  
(2) Mr. Matthias (4) \_\_\_\_\_

Date of interview 8/31/04

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description: \_\_\_\_\_

Agreement ☐ was reached with respect to some or all of the claims in question. ☒ was not reached.

Claims discussed: None

Identification of prior art discussed: None

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: \_\_\_\_\_

Mr. Blount informed Mr. Matthias that the previous Office action, mailed 8/26/04, was non-final, and that the box checked on the Office action summary, while reading "final", should have been checked "non-final". The examiner notes it <sup>(the office action)</sup> was entered into the PTO file as being "non-final".

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☒ 1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

☐ 2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.

Mr. Blount 8/31/04  
Examiner's Signature